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Olympia Land Corporation

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEPHAN ISENEGGER,

Plaintiff,

vs.

OLYMPIA LAND CORPORATION;
DOES 1 to 20,

Defendants.

CASE NO. _____

NOTICE OF REMOVAL

TO: THE HONORABLE JUDGES OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Olympia Land Corporation ("Olympia"), hereby removes to this Court the state court action described below:

1. On or about August 19, 2008, an action was commenced in the District Court, Clark County, Nevada, entitled *Stephan Isenegger v. Olympia Land Corporation*, Case Number A569869. A true copy of the Complaint is attached hereto as Exhibit A.

2. The first date upon which Olympia received a copy of said Complaint was August 21, 2008, the date Olympia was served with a copy of the Summons and Complaint. The thirty-day period for removal does not begin to run until a party has received a copy of the Complaint and been properly served. *See Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc.*,

1 526 U.S. 344, 347-48 (1999). Therefore, this Notice of Removal is timely filed under 28 U.S.C.
2 § 1446(b).

3 3. This is a civil action of which this Court has original jurisdiction pursuant to
4 28 U.S.C. § 1331, and is one which may be removed to this Court by Olympia pursuant to the
5 provisions of 28 U.S.C. § 1441 in that it is a federal question brought under the Fair Labor
6 Standards Act, 29 U.S.C. 216.

7 4. Olympia will also timely file a Notice of Removed Action in District Court, Clark
8 County, Nevada, a true and correct copy of which is attached as Exhibit B.

9 WHEREFORE, Olympia respectfully requests that this Court assume full jurisdiction over
10 the cause herein as provided by law, and that all further proceedings in the District Court, Clark
11 County, Nevada, be stayed.

12 Dated: September 17, 2008

SNELL & WILMER L.L.P.

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14
15 By: 

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Olympia Land Corporation

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing document by the method indicated:

✓ by U. S. Mail

by Facsimile Transmission

by Overnight Mail

by Federal Express

by Hand Delivery

and addressed to the following:

Malik W. Ahmad, Esq.
Law Office of Malik W. Ahmad
7201 West Lake Mead Blvd., Suite 108
Las Vegas, NV 89128
Phone (702) 270-9100
Fax (702) 384-5900
Attorney for Plaintiff

DATED: September 17, 2008


An employee of Snell & Wilmer

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